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PATENT  
Customer No. 22,852

Attorney Docket No. 8159.0016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Charles Eric HUNTER et al.

Application No.: 09/487,978

Filed: January 20, 2000

For: MUSIC DISTRIBUTION SYSTEM  
AND ASSOCIATED ANITPIRACY  
PROTECTION

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) Group Art Unit: 3621  
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) Examiner: ELISCA, Pierre E.  
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GROUP 3600

Commissioner for Patents  
Washington, DC 20231

Sir:

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE**

**STATEMENT UNDER 37 C.F.R. § 1.97(d)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), applicants bring to the attention of the Examiner the following documents, which are also listed on an attached form PTO-1449. This Second Supplemental Information Disclosure Statement (IDS) supplements the IDS of March 11, 2002, and the Supplemental IDS of September 3, 2002. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by initialing them on the attached form PTO-1449, and returning a copy of the form PTO-1449 with the next communication to applicants.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim

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in the application and applicants determine that any of the applied documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants declare that no item of information contained in this Second Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Second Supplemental Information Disclosure Statement.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(d), together with a check in the amount of \$180.00 as specified by 37 C.F.R. § 1.17(p). If there are any additional fees due in connection with the filing of this Statement, please charge the fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: 12/2/02

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